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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/666,521	09/20/2000	Jun Koyama	SEL 209	6933

7590

03/12/2003

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EXAMINER

NGUYEN, KIMNHUNG T.

ART UNIT

PAPER NUMBER

2674

DATE MAILED: 03/12/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/666,521

Applicant(s)

KOYAMA, JUN

Examiner

Kimnhung Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 January 1935.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) _____ is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 8.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

This Application has been examined. The claims 1-35 are pending. The examination results are as following.

Information Disclosure Statement

1. The Examiner has considered the references listed in the information disclosure statement (IDS) filed on 1-13-2003 (Paper No. 8) (See attached form PTO-1449).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3,14-22, 24-31 and 33-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamada et al. (US patent 6,072,450) in view of Todokoro et al. (US patent 5,659,328).
4. Regarding claims 1-2 and 8-9, 11, 17-19, 21, 28-30, Yamada et al. disclose in figures 1-4 and 17 that an electronic device comprising an EL display device (1) including a thin film transistor (Q1, Q2, Q3, Q4); an EL element (39) with the pixel electrode as a cathode; and an insulating layer for sealing the EL element (see abstract, and see figure 17, column 15, lines 34-45), and an analog image to the EL, wherein the EL element includes a luminescent layer comprising polymer organic material (see column 11, lines 8-13), a memory for storing the data correcting (see column 8, lines 24-25) and wherein the EL display device is inherent used in an

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electronic device. However, Yamada et al. do not disclose a correcting means for gamma correcting the analog image signal. Todokoro et al. disclose in figure 1 a memory 8 (correction value), that is a correction gamma for driving conditions of the individual surface of the electron beam. It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teachings of using the correcting system as taught by Todokoro et al. in the device of Yamada et al. because this would provide an improved an EL display having correction values for driving conditions of the individual surface of the electron beam.

5. Regarding claims 3 and 5-7, 10, 12, 14-16, 20, 22, 24-26, 31, 33-35 are dependent claims 1 and 9 and are rejected on the same reasons set forth in claims 1 and 9, and by the rational discussed above. Furthermore, Yamada et al. do disclose that a color filter formed at a position corresponding to the pixel electrode (see column 12, lines 28-49) and signal of red or blue or green and independently for each of signals of blue, green and red (see column 11, lines 66-67 and column 12, lines 1-15). However, Yamada et al. do not disclose wherein the gamma correcting amplifies signal of red or blue or green and independently for each of signals of blue, green and red. Todokoro et al. disclose a gamma correcting (8, see figure 1, column 8, lines 24-25). It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teachings of using the correcting system as taught by Todokoro et al. in the device of Yamada et al. with independently for each of signals of blue, green and red because this would provide an improved an EL display having correction values for driving conditions of the individual surface of the electron beam.

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6. Claims 4, 13, 23, 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yamada et al. (US patent 6,072,450) in view of Todokoro et al. (5,659,328) and in view of Sunohara et al. (US patent 5,587,819).

Yamada et al. and Todokoro et al. teach generally all the limitation as discussed in claim 1-3 above. However, they do not disclose that wherein the EL element comprises a first pixel comprising a blue luminescent layer, a second pixel comprising a green luminescent, and a third pixel comprising a red luminescent layer. Sunohara et al. disclose a display color with luminance colors including having a first pixel including a red luminescent layer, a second pixel including a green luminescent, and a third pixel including a blue luminescent layer (see figure 13). It would have been obvious to one of ordinary skill in the art at the time the invention was made to implement the teachings of using first pixel comprising a blue luminescent layer, a second pixel comprising a green luminescent, and a third pixel including a red luminescent layer as taught by Sunohara et al. in the EL display device of Yamada et al. and Todokoro et al. because this would provide a high-luminance colors with high efficiency and a low consumption of electric power.

Response to arguments

7. Applicant's arguments filed on 12-9-02 have been fully considered but they are not persuasive.

Applicant argues that Yamada does not disclose that a correcting means for gamma correcting the analog image signal. However, this argument is not persuasive due to the combination Yamada and Todokoro as disclosed above. Therefore, this rejection is maintained.

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8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Correspondence

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kimnhung Nguyen whose telephone number (703) 308-0425.

If attempts to reach the examiner by telephone are unsuccessfully, the examiner's supervisor, **RICHARD A HJERPE** can be reached on **(703) 305-4709**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D. C. 20231

Or faxed to:

(703) 872-9314 (for Technology Center 2600 only).

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Hand-delivery response should be brought to: Crystal Park II, 2121 Crystal Drive,
Arlington, VA Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding
should be directed to the Technology Center 2600 Customer Service Office whose telephone
number is (703) 306-0377.

Kimnhung Nguyen
February 28, 2003

A handwritten signature in black ink, appearing to read 'R. Hjerpe', is positioned above the printed name and title.

RICHARD HJERPE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600